IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

FRIDAY, THE 13TH APRIL 2007 / 23RD CHAITHRA 1929

LA.App..No. 1168 of 2005()

L.A.R.NO.89/1998 OF THE II ADDL.SUB COURT, THIRUVANANTHAPURAM

APPELLANT: RESPONDENT.

STATE OF KERALA, REPRESENTED BY THE
DISTRICT COLLECTOR, THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER MS. BINDU

RESPONDENTS: CLAIMANTS AND ADDL.2ND RESPONDENT.

1. N.KRISHNANKUTTY, KORIYIDAM THOPPU,
TC.48/1871, MUTTATHARA VILLAGE,
THIRUVANANTHAPURAM.

2. SAJEEV KUMAR, S/O.N.BABY (DECEASED),
KORIYIDAM THOPPU, T.C. 48/1871, MUTTATHARA VILLAGE
THIRUVANANTHAPURAM.

3. SAJITHA KUMARI, D/O. N.BABY, (DECEASED),
KORIYIDAM THOPPU, T.C. 48/1871, MUTTATHARA
VILLAGE, THIRUVANANTHAPURAM.

4. SARITHAKUMARI.N.BABY(DECEASED),
KORIYIDAM THOPPU, TC. 48/1871, MUTTATHARA
VILLAGE, THIRUVANANTHAPURAM.

5. DIRECTOR, DAIRY DEVELOPMENT AUTHORITY,
THIRUVANANTHAPURAM.

R1 RO R4 BY ADV. SRI.S.WILLIAMS

THIS LAND ACQUISITION APPEAL HAVING COME UP FOR ADMISSION ON 13/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

KURIAN JOSEPH & K.T. SANKARAN, JJ.

L.A.A. NO. 1168 OF 2005 B

Dated this the 13th day of April, 2007

JUDGMENT

Kurian Joseph, J.

This appeal is filed against the judgment and decree in L.A.R.No.89 of 1998, on the file of the Additional Sub Court, Thiruvananthapuram. The acquisition is for the purpose of setting up a dairy plant at Muttathara. It is seen that the Reference Court has relied on Exts.A1, A2 and A3 judgments. Exts.A1 and A2 are judgments of the Reference Court and Ext.A3 is the judgment of this Court in L.A.A.No.372 of 1996. In all cases, this Court sustained the market value at Rs.44,000/- per Are. Therefore, nothing survives in this appeal, since the fixation of market value at the rate of Rs.44,000/- per Are as per judgment in L.A.A.No.372 of 1996, relied on by the

Reference Court, has attained finality. The appeal is hence dismissed.

(KURIAN JOSEPH)
Judge

(K.T.SANKARAN)
Judge

ahz/